

PRINT in INK

Enter the name of the county in which this case is filed.	STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY	<i>For Official Use</i>
Enter the name of the petitioner. If joint petitioners, enter the name of the wife.	In RE: The marriage of Petitioner/Joint Petitioner-Wife: _____ First name Middle name Last name and	
Enter the name of the respondent. If joint petitioners, enter the name of the husband.	Respondent/Joint Petitioner-Husband: _____ First name Middle name Last name	Findings of Fact, Conclusions of Law, and Judgment Without Minor Children <input type="checkbox"/> Divorce-40101 <input type="checkbox"/> Legal Separation-40201
Check divorce or legal separation.		
Enter the case number.	Case No. _____	

FINAL HEARING

A final hearing was conducted in this matter as follows:

Enter the name of the court official who granted the judgment and the address and date [month, day, year] on which it was granted.	1. Before _____ Circuit Court Judge or Circuit Court Commissioner
	2. Location _____ _____
	3. Date _____

APPEARANCES

Check one box from 1 and check a or b. If b, enter the name of the attorney.	1. Wife: <input type="checkbox"/> appeared in person <input type="checkbox"/> appeared by phone <input type="checkbox"/> did not appear AND a. <input type="checkbox"/> was self-represented. b. <input type="checkbox"/> was represented by Attorney _____.
Check one box from 2 and check a or b. If b, enter the name of the attorney.	2. Husband: <input type="checkbox"/> appeared in person <input type="checkbox"/> appeared by phone <input type="checkbox"/> did not appear AND a. <input type="checkbox"/> was self-represented. b. <input type="checkbox"/> was represented by Attorney _____.
Check a, or b. If b, enter the name of the individual(s) who appeared.	3. Others appearing at the hearing: a. <input type="checkbox"/> None b. <input type="checkbox"/> Other: _____.

FINDINGS OF FACT**A. Jurisdiction**

1. All necessary parties have been properly served and 120 days have lapsed since the filing of the joint petition or the date of service of the summons and petition, whichever applies.
2. At the time of the final hearing, the parties requested a:
 - a. ☐ **Divorce:** The court finds the marriage is irretrievably broken.
 - b. ☐ **Legal Separation:** The court finds the marital relationship is broken and acceptable reasons have been given to the court for the request.
3. All jurisdictional requirements for a judgment have been met.

Check a or b.

Enter the requested information about the wife. If you do not know an answer, enter "unknown" in the blank.

Enter the requested information about the husband. If you do not know an answer, enter "unknown" in the blank.

B. Parties (as of the date of the final hearing)

1. The wife in this action is:

Name _____

Address _____

Address _____

City _____ State _____ Zip _____

Date of birth _____

Gross monthly income \$ _____
2. The husband in this action is:

Name _____

Address _____

Address _____

City _____ State _____ Zip _____

Date of birth _____

Gross monthly income \$ _____

C. Children

1. a. ☐ No children were born to or adopted together by the parties before or during the marriage.
- b. ☐ All children born to the wife or adopted together by the parties before or during the marriage as set forth in the petition.
2. The wife:
 - a. ☐ is not currently pregnant.
 - b. ☐ is currently pregnant and:
 1. ☐ the husband is found to be the father.
 2. ☐ the husband is not found to be the father and the marital presumption in §891.41(2), Wis. Stats. has been rebutted.
 - A. ☐ A paternity case is not pending.
 - B. ☐ A paternity case is pending in _____ county in the state of _____ with case number _____.
3. The parties' assets, their interests, values, and their encumbrances and debts are found to be as stated in the Financial Disclosure Statements, which were updated as required by statute on the record at the time of trial and are on file.
4. A Marital Settlement Agreement or Proposed Marital Settlement has been submitted. The party(s) have asked that it be approved by the Court. All parties present have been informed of the legal consequences if the Court approves the document in whole or in part.

Check a or b.

Check a or b.

If b, check 1 or 2.

If 2, check A or B.

If B, enter the name of the county and state in which the case is pending and write the case number assigned to it.

If maintenance was not previously ordered, check "None".
Check 1, 2, or 3.
If 3, check a or b and enter the interest rate. If a, enter the date. If b, enter the amount of the monthly payment and the month and year the payments shall begin.

D. Past Due Maintenance Arrearages

The amount of the past due arrearages for maintenance at the time of the final hearing is:

1. ☐ none (zero).
2. ☐ as agreed in the Marital Settlement Agreement.
3. ☐ \$_____, which shall earn interest at the rate of _____% per year and shall be paid as:
 - a. ☐ a one-time payment to the WI SCTF no later than (date) _____.
 - b. ☐ through income withholding by the WI SCTF in the amount of \$_____ per month beginning the first day of the month of _____, 20____ until the arrearages are paid in full.

CONCLUSIONS OF LAW AND JUDGMENT**A. The Court grants a judgment of:**

1. ☐ **Divorce:** The marriage between the parties is dissolved and the parties are divorced effective on ☐ date of hearing. ☐ other date: _____

The parties are informed by the court that under §765.03(2), Wis. Stats.:

It is unlawful for any person who is or has been a party to an action of divorce in any court in this state, or elsewhere, to marry again until six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void.

2. ☐ **Legal Separation:** The marital relationship is broken and the parties are granted a judgment of legal separation effective on ☐ date of hearing. ☐ other date: _____

The parties are informed by the court that under §767.35, Wis. Stats.:

- In case of reconciliation, at any time, the parties may apply for a revocation of the judgment of legal separation.
- The court shall convert the decree to a decree of divorce:
 - by stipulation of both parties at any time, OR
 - upon motion of either party not earlier than one year after entry of a decree of legal separation.

B. Final Orders

The:

1. ☐ **Marital Settlement Agreement** dated _____
2. ☐ **Proposed Marital Settlement** dated _____ of the ☐ wife ☐ husband is approved, attached and made the judgment of the court except as changed below:

3. ☐ No **Marital Settlement Agreement** or **Proposed Marital Settlement** was approved by the court. A **Divorce Judgment Addendum** has been prepared to reflect the Judges' orders.

Check 1 or 2 and enter the effective date.

Check 1, 2, or 3. For 1 or 2, enter the date [month, day, year] that the party(s) signed the checked document. If 2, check wife or husband.

C. Lis Pendens

Any Lis Pendens filed in this action is released.

D. Legal Name Restoration

Check 1, 2, or 3.

If 2 or 3, enter the
former legal surname.

1. ☐ Neither party is awarded the right to use a former legal surname.
2. ☐ The wife is awarded the right to use a former legal surname of _____.
3. ☐ The husband is awarded the right to use a former legal surname of _____.

Note: If this is an action for legal separation, the court cannot allow a spouse to resume a former legal surname unless and until the judgment is converted to a divorce.

E. Maintenance

1. Pursuant to §767.75, Wis. Stats., this judgment constitutes an immediate assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under Chapter 102 or 108, and other money due or to be due in the future, to the WI SCTF. The assignment shall be for an amount sufficient to ensure payment under this judgment, so long as the addition of the amount toward arrears does not leave the party at an income below the poverty line established under 42 USC 9902(2).
2. Pursuant to §767.57(1)(a), Wis. Stats., all payments for maintenance ordered shall note the case number and the names of the parties on the face of the check, should be made payable to WI SCTF, and sent to:

Wisconsin Support Collections Trust Fund
Box 74200
Milwaukee, WI 53274-0200

The WI SCTF will transmit the payments to the proper persons entitled to them.

Failure of an employer to pay the proper amount shall not be a defense for failure to pay the proper amount. If an employer fails to take out the correct amount for maintenance, the party paying is responsible for paying the full and correct amount directly to WI SCTF.

Pursuant to §767.57(1e), Wis. Stats., the party making payment for maintenance is responsible for payment of the annual receiving and disbursing fee to WI SCTF.

3. If maintenance is not denied, both parties shall notify, in writing, the other party and the Clerk of Court and the Child Support Agency of the county in which this action is filed, within 10 business days, of any change of employer and employer's address.
4. Pursuant to §767.75, Wis. Stats., a withholding assignment or order under this section has priority over any other assignment, garnishment, or similar legal process under Wisconsin law. The employer shall not withhold more of the employee's disposable income than allowed pursuant to the Federal Consumer Credit Protection Act unless the employee agrees to have the full amount withheld. No employer may use an assignment under this section to deny employment, or to discharge or take disciplinary action against an employee.

F. Property Division

Notice is given of the provisions of §767.61 (5) (a) and (b) and §767.61(6), Wis. Stats.:
The parties shall transfer title to property of the parties as necessary, in accordance with the division of property set forth in the judgment.

The parties are notified that:

1. it may be necessary for the parties to take additional actions in order to transfer interests in their property in accordance with the division of property set forth in the judgment, including such interests as interests in real property, interests in retirement benefits, and contractual interests.

2. the judgment does not necessarily affect the ability of a creditor to proceed against a party or against that party's property even though the party is not responsible for the debt under the terms of the judgment.
3. an instrument executed by a party before the judgment naming the other party as a beneficiary is not necessarily affected by the judgment and it may be necessary to revise the instrument if a change in beneficiary is desired.
4. a deed consistent with the judgment or a certified copy of the portion of the judgment affecting title to real property shall be recorded in the office of the register of deeds of the county in which the real property is located.

G. Court Ordered Fees

All payments of attorney fees shall be paid directly to the attorney or to the agency providing services which may enforce the order in its name.

H. Restraining Order

Both parties are restrained from interfering with the personal liberty of the other.

I. Non-Compliance

Disobedience of the court orders is punishable under ch. 785 Wis. Stats. by commitment to the county jail until the judgment is complied with and the costs and expense of the proceedings are paid or until the party committed is otherwise discharged, according to law.

J. Entry of Judgment

The Clerk of Court's office, per §806.06(1)(2), Wis. Stats., shall enter this judgment by affixing a file stamp that is dated.

THIS IS A FINAL JUDGMENT/ORDER FOR PURPOSES OF APPEAL.

BY THE COURT:

For Court Use Only.

Circuit Court Judge/Circuit Court Commissioner

Print or Type Name

Date

APPROVED AS TO FORM BY:

All parties to the action should approve how accurately the form has been completed before the judge signs it. The parties must approve by signing in the space to the right.



Petitioner/ Joint Petitioner-Wife



Respondent/Joint Petitioner-Husband